

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

In the Matter of

CAROLINA CHRISTIAN BROADCASTING, INC.

WGGS-TV, Greenville, South Carolina

)
)
) Facility ID No. 9064

)
) Constr. Permit 0000034219
)
)

TO: CHIEF, VIDEO DIVISION, MEDIA BUREAU

**REPLACEMENT NARRATIVE IN SUPPORT OF REQUEST FOR
POST-AUCTION TRANSITION
PHASE ASSIGNMENT MODIFICATION AND WAIVER**

Carolina Christian Broadcasting, Inc. (“CCB”) licensee of digital television station WGGS-TV, Greenville, South Carolina (Fac. Id. 9064), pursuant to 47 C.F.R. §1.3 and for good cause shown, hereby requests a modification and waiver of WGGS-TV’s post-Incentive Auction Transition Phase assignment and corresponding testing dates and construction completion deadlines.

In its April 2017 *Closing Notice*,¹ the FCC assigned WGGS to Transition Phase 5, for which the Testing Period begins on August 3, 2019 and the Phase Completion Date is September 6, 2019.² CCB seeks to transition WGGS earlier, in Phase 3, for which the Testing Period begins April 13, 2019 and the Phase Completion Date is June 21, 2019. CCB has planned for the WGGS post-auction antenna installation and tower work to be completed in April 2019,³ in

¹ *Incentive Auction Closing and Channel Reassignment Public Notice*, 32 FCC Rcd 2786, Phase Assignment Data File (WTB & MB April 13, 2017) (hereinafter “Closing Notice”)

² WGGS is moving from pre-auction channel 16 to post-auction channel 2.

³ CCB scheduled this work in the spring to avoid potential delays during the 2019 hurricane season.

conjunction with the installation of two co-owned LPTV displacement antennas on the same tower. Doing so avoids inefficient and piecemeal use of limited tower crew resources, enabling CCB to book and use a single tower crew that can complete all three antenna installations during one site visit.⁴

The FCC's *Transition Scheduling Adoption Plan* permitted stations to propose "alternative transition solutions that could create efficiencies" and held that a request to modify a station's transition deadline would be viewed favorably if the request is "otherwise compliant with [FCC] rules and [has] little or no impact on the phase assignments or transition schedule."⁵ As demonstrated below, CCB's request qualifies for such favorable treatment.

The Commission may grant a waiver for good cause shown.⁶ A waiver is appropriate where the particular facts make strict compliance inconsistent with the public interest.⁷ In considering a waiver, the FCC may take in to account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.⁸ Such a waiver is appropriate if circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.⁹ As demonstrated below, grant of a phase waiver reassigning WGGS-TV from transition phase 5 to phase 3 would be in the public interest.

⁴ The April installation also avoids the risk of possible delays due to hurricanes or tropical storms.

⁵ *Incentive Auction Task Force and Media Bureau Adopt A Post-Incentive Auction Transition Scheduling Plan Public Notice*, 32 FCC Rcd 890, 913 ¶51 (MB 2017) (hereinafter the "Transition Scheduling Adoption Public Notice")

⁶ 47 C.F.R. § 1.3.

⁷ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990)

⁸ *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied*, 49 U.S. 1027 (1972); *Northeast Cellular*, 389 F.2d at 1166.

⁹ *Northeast Cellular*, 389 F.2d at 1166.

Multiple Antenna Installs Using One Tower Crew In A Single Site Visit

CCB is transitioning WGGs from channel 16 to channel 2 as part of the post-auction repack. In addition, CCB is the licensee of two low power television stations that are being displaced, and for which it holds displacement permits – W28DB-D, which is moving from channel 28 to 16,¹⁰ and W31AZ-D, which is moving from channel 31 to 15.¹¹ The displaced facilities are authorized for and will operate on the same tower as WGGs. Antennas have been ordered and will be delivered in time to enable the tower crew, in a single site visit, to complete the following work on the tower:

- Installation of the W28DB Channel 16 displacement antenna for initial use as a temporary side-mount transmit antenna for WGGs while its top-mounted Channel 16 antenna is removed¹²
- Removal of the WGGs top-mounted Channel 16 antenna and old transmission line
- Installation of the WGGs post-auction top-mounted Channel 2 antenna and transmission line
- Installation of the W31AZ-D Channel 15 side-mount displacement antenna

The completion of this work will clear the way for the WGGs Channel 2 transmitter installation, with the station being ready for Channel 2 testing and commencement of operations during Transition Phase 2. Transition from the temporary, smaller Channel 16 antenna to full Channel 2 operations during Phase 2 will shorten the temporary loss of coverage area for WGGs viewers.¹³

¹⁰ W16DY-D Construction Permit (LMS 0000067625).

¹¹ W15EJ-D Construction Permit (LMS 0000067627).

¹² CCB's February 15, 2019 application for temporary authority to use this antenna is pending (LMS 0000067624). When WGGs transitions to channel 2, this temporary antenna will be W16DY's antenna for its permanent operation.

¹³ It will also enable a speedier build out of a displaced LPTV station licensed to the University of North Carolina, the permit for which includes a condition that WGGs must have vacated its full power channel 16 operation before transmissions can begin. See W16DZ-D Construction Permit (LMS 0000053446).

The efficient use of a tower crew – a limited repack resource – combined with (i) the dual use of a single antenna for temporary WGGs operation and later operation of the displaced LPTV station, and (ii) the ability to shorten the temporary loss of coverage area for WGGs viewers, supports a phase waiver and earlier transition for WGGs.

Interference Analysis

The engineering analysis attached hereto at Exhibit A demonstrates that moving up WGGs' transition to Phase 3 does not create any prohibited interference. WGGs' change from channel 16 to channel 2 meets the Commission's *de minimis* interference criteria to all co-channel and adjacent-channel pre-repack full-power and Class A facilities. The lack of interference removes any possibility of viewers losing signal reception as a result of WGGs' early transition, and creates no domino effect of delays or impacts to other stations.

No Negative Impact on Transition Plan or Other Stations

A Phase 3 transition for WGGs will not create any other delays of, or otherwise negatively impact, the FCC's Post-Auction Transition Plan. First, the WGGs cabling, antenna, transmitter and tower crew vendors have each provided a letter attached hereto at Exhibit B declaring that each is able to meet all obligations for WGGs' transition in phase 3, and that doing so will not impact any work being performed for other transitioning stations. The tower crew has also provided an additional letter confirming that they can complete all work on the tower in a single visit, making them available to serve other, later phase transitioning stations. An earlier WGGs transition therefore means that these vendors will be freed up to assist other stations in later transition phases, reducing pressure on the limited manufacturing and tower crew resources available for the transition.

Second, WGGs' early transition will have no negative effect on the two downstream linked stations in its linked set, WXII-TV, Winston-Salem, NC (Fac. Id. 53921), which is transitioning from channel 31 to 16 in Phase 5, and WHNS, Greenville, SC (Fac. Id. 72300), which is transitioning from 21 to 17 in Phase 5. WGGs' early transition will actually remove WGGs as an upstream dependency for WXII and WHNS, easing the transition planning for both stations. The early WGGs transition will also not create any new linked station sets.

Impact on Viewers

An early transition of WGGs in Phase 3 will require an additional rescan period for the Greenville-Spartanburg-Asheville-Anderson SC-NC Market, but WGGs will engage in additional consumer awareness efforts to limit the burden of an early additional rescan on viewers and ensure that viewers continue to receive and can access the station.¹⁴

CCB commits to conducting an additional thirty (30) days of PSAs/crawls on the station during prime time hours of 8:00-11:00 p.m., which will double the number of days required by the FCC's rules and maximize viewability.¹⁵ In addition, CCB will engage in further consumer outreach, including a post of information to the WGGs website,¹⁶ emails to the station's database of viewer email addresses, and mentions on station social media platforms, all of which will include or direct viewers to information on how and when to rescan television sets to receive the station, plus station contact information if viewers encounter difficulties. CCB will also include segments in its live produced talk/interview shows that preview the coming channel change and present details for rescanning and how to receive assistance. As a religious

¹⁴ The FCC limited the number of rescan periods per DMA to two when it established the phased transition schedule. *Transition Scheduling Adoption Public Notice*, 32 FCC Rcd. At 898-99, ¶¶ 20-21. The Greenville-Spartanburg-Asheville-Anderson SC/NC Market currently includes two rescan periods.

¹⁵ See 47 C.F.R. §73.3700(c)(3)

¹⁶ The WGGs website can be found at www.wggs16.com.

broadcaster, CCB will also notify local church congregations of the change so details can be provided to congregants who view the station.¹⁷ These additional consumer awareness efforts will limit, if not eliminate, any viewing interruption or burden associated with the need for an additional early rescan in the market.

CCB respectfully submits that the use of one tower crew on a single site visit for WGGG's transition and channel changes for two displaced LPTV stations, combined with the ability of vendors to support WGGG's early transition and be free to serve other transitioning stations, the removal of WGGG from a linked station set, and additional consumer education/outreach efforts outweigh the burden of an additional rescan period for the WGGG market.

MVPD Notifications

Under 47 C.F.R. § 3700(d)(2), WGGG is required to provide a 90-day written notice to MVPD's with details of the station's planned channel change, including timing. For a station transitioning on the Phase 3 Completion Date of June 21, 2019, MVPD notices would need to be sent no later than March 24, 2019. Subject to a grant of this phase waiver request in advance of that date, CCB will not have any problem meeting the 90-day MVPD notification deadline for a Phase 3 station. As a result, the MVPD notification requirement will not be shortened or otherwise affected by an early WGGG transition.

Conclusion

For all of the above reasons, and subject to timely completion of applicable and additional consumer education requirements and MVPD notifications under the rules,

¹⁷ Similar increased consumer awareness efforts, in combination with other benefits, have previously been recognized by the FCC as outweighing the burden of an additional rescan period. *See e.g.*, WPNE Request for Modification and Waiver of Phase Assignment, LMS File No. 0000035031, December 21, 2017 Grant Letter.

modification of WGS's transition phase assignment from Phase 5 to Phase 3 is respectfully requested.

Exhibit A

Engineering Analysis

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of CAROLINA CHRISTIAN BROADCASTING, INC., licensee of full-power digital television station WGGS-DT, Channel 16 in Greenville, South Carolina, in support of its request to operate with its post-repack facility on Channel 2, as authorized in Construction Permit LMS-0000034219.

Attached hereto are the summary results from a TVStudy interference study, which was conducted using a cell size of 2.0 kilometers and an increment spacing of 1.0 kilometer. It concludes that the repacked WGGS-DT facility meets the Commission's *de minimis* interference criteria to all co-channel and adjacent-channel pre-repack full-power and Class A facilities. Therefore, early operation of WGGS-DT on Channel 2 will have no detrimental impact on any other facility.

I declare under penalty of perjury that the foregoing statements and the attached exhibit, which was prepared by me, are true and correct to the best of my knowledge and belief.



KEVIN T. FISHER

Smith and Fisher, LLC

January 31, 2019

TVSTUDY INTERFERENCE ANALYSIS RESULTS
WGGS-DT
CHANNEL 2 – GREENVILLE, SOUTH CAROLINA

Study created: 2019.01.31 09:44:07

Study build station data: LMS TV 2019-01-20

Proposal: WGGS-TV D2 DT CP GREENVILLE, SC
File number: BLANK0000034219
Facility ID: 9064
Station data: User record
Record ID: 443
Country: U.S.
Zone: II

Stations potentially affected by proposal:

IX	Call	Chan	Svc	Status	City, State	File Number	Distance
No	WHDF	D2	DT	CP	FLORENCE, AL	BLANK0000034217	430.3 km
No	WHDF	D2	DT	BL	FLORENCE, AL	DTVBL65128	430.3

No non-directional AM stations found within 0.8 km

No directional AM stations found within 3.2 km

Record parameters as studied:

Channel: D2
Latitude: 34 56 26.40 N (NAD83)
Longitude: 82 24 40.40 W
Height AMSL: 660.1 m
HAAT: 354.0 m
Peak ERP: 33.0 kW
Antenna: Omnidirectional
Elev Pattn: Generic

28.0 dBu contour:

Azimuth	ERP	HAAT	Distance
0.0 deg	33.0 kW	331.6 m	121.2 km
45.0	33.0	362.0	122.5
90.0	33.0	351.6	122.0
135.0	33.0	352.1	122.0
180.0	33.0	364.7	122.6

225.0	33.0	365.8	122.7
270.0	33.0	355.1	122.2
315.0	33.0	334.8	121.3

Database HAAT does not agree with computed HAAT

Database HAAT: 354 m Computed HAAT: 352 m

Distance to Canadian border: 748.7 km

Distance to Mexican border: 1707.6 km

Conditions at FCC monitoring station: Powder Springs GA

Bearing: 241.2 degrees Distance: 243.6 km

Proposal is not within the West Virginia quiet zone area

Conditions at Table Mountain receiving zone:

Bearing: 292.8 degrees Distance: 2085.1 km

Study cell size: 2.00 km

Profile point spacing: 1.00 km

Maximum new IX to full-service and Class A: 0.50%

Maximum new IX to LPTV: 2.00%

No IX check failures found.

Exhibit B
Vendor Letters



February 7, 2019

WGGG-TV
3409 Rutherford Rd
Taylors, SC 29687

Attn: Dante Thompson

To whom it may concern, our tower crew, in a single site visit, is prepared to complete the following work on the WGGG tower:

- Installation of the W28DB Channel 16 displacement antenna for initial use as a temporary side-mount transmit antenna for WGGG while its top-mounted Channel 16 antenna is removed;
- Removal of the WGGG top-mounted Channel 16 antenna and old transmission line;
- Installation of the WGGG post-auction top-mounted Channel 2 antenna and transmission line;
- Installation of the W31AZ-D Channel 15 side-mount antenna.

Completing the above work in one continuous mobilization will conserve our crew resources so that we can serve other stations in later repack phases.

Regards;

John McKay, P.Eng. CBT.
GTI America Inc.



February 1, 2019

Incentive Auction Transition Team
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

GTI America understands your need for delivery to support your Phase 3 transition plan. We have reviewed our order flow and backlog and I can confirm that we will be able to meet all obligations in support of the WGGG transition in Phase 3.

This letter is to confirm that your installation is currently scheduled for completion in late March and as such it will not impair our ability to install equipment for other stations to complete their transition during their assigned phases. This will have no impact on our obligations to service other transitioning stations

John McKay, P.Eng. CBT.
GTI America Inc.



Dielectric, LLC
22 Tower Road
Raymond, ME 04071
1-800-341-9678

February 1st 2019

Dante Thompson
WGS
Greenville SC
Facility ID 9064

Dear Mr. Thomposn,

I am writing in response to your inquiry concerning the timing of the delivery of the antenna and transmission line for WGS of Greenville, SC, as required by the FCC in the currently assigned repack timetable.

By way of this letter, we confirm that advancing the delivery of the antenna and transmission line to the timetable for Phase 3, may be accomplished without causing any of our other current orders to incur a delay that would impact detrimentally on their compliance with the repacking schedule.

Please let me know if you have any questions regarding this matter.

Sincerely,

Cory Edwards, Sales Manager

A handwritten signature in black ink, appearing to read "Cory Edwards", followed by the date "2/1/2019".

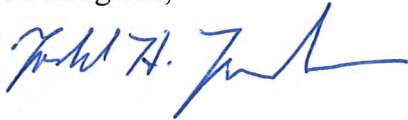
February 1, 2019

Incentive Auction Transition Team
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Electronics Research, Inc. understands your need for delivery to support your Phase 3 transition plan. We have reviewed our order flow and backlog and I can confirm that we will be able to meet all obligations in support of the WGGG transition in Phase 3.

This letter is to confirm that your equipment is currently scheduled for completion in Mid-March and as such it will not impair our ability to supply equipment for other stations to complete their transition during their assigned phases. This will have no impact on our obligations to service other transitioning stations

Best regards,



Todd H. Forbes
Chief Financial Officer





ED MURLATT

**41 FOXPOINT WEST
WILLIAMSVILLE, NY 14221**

PHONE (716) 639-0860

CELL (716) 435-4167

ed@ema4rf.com

Broadcast RF System Services

FEBRUARY 15, 2019

Incentive Auction Transition Team
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: WGGS-TV, Greenville, SC (Fac. Id. 9064) Transition Phase Waiver Request

This letter is in reference WGGS-TV's request for a transition phase waiver to move from Phase 5 to Phase 3.

Our company has reviewed and confirms that we will be able to meet all of our obligations in support of WGGS' transition in Phase 3, and that doing so will have no negative impact on our company's obligations to service other transitioning stations.

This move of phase schedule improves our ability to schedule our transition workload more evenly, thereby providing benefit to our other customers in the later phases through the remainder of this year.

Edward J. Murlatt
President



RADIO FREQUENCY SYSTEMS

January 31, 2019

Incentive Auction Transition Team
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Subject: WGGs-TV, Greenville, SC (Fac. Id. 9064) Transition Phase Waiver Request

Radio Frequency Systems understands your need for delivery to support your Phase 3 transition plan. We have reviewed our order flow and backlog and I can confirm that we will be able to meet all obligations in support of the WGGs transition in Phase 3.

This letter is to confirm that your equipment is currently scheduled for completion in Mid-March and as such it will not impair our ability to supply equipment for other stations to complete their transition during their assigned phases. This will have no impact on our obligations to service other transitioning stations as the materials ordered are standard products and currently available from existing inventories.

Best regards,

David Zack
Broadcast Sales Manager
Radio Frequency Systems
200 Pondview Drive
Meriden, CT 06450 USA
E-Mail: david.zack@rfsworld.com
Phone : (815) 478-3240
Fax : (203) 634-2055
www.rfsworld.com



Miami, February 15th, 2019

**To: Incentive Auction Transition
Team
Federal Communications
Commission
445 12th Street SW
Washington, DC 20554**

RE.: WGGG-TV, Greenville, SC (Fae. Id. 9064) Transition Phase Waiver Request

This letter is in reference WGGG-TV's request for a transition phase waiver to move from Phase 5 to Phase 3.

Our company has reviewed and confirms that we will be able to meet all of our obligations in support of WGGG's transition in Phase 3, and that doing so will have no impact on our company's obligations to service other transitioning stations.

This move of phase schedule will improve our ability to schedule out transition work load more evenly thereby providing benefit to our customers in the later phases through the remainder of this year.

Very truly yours,

Alessandro Annoni

Vice President of Sales

A handwritten signature in black ink, appearing to read "Alessandro Annoni".

Syes America LLC

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